

David J. Bradley, Clerk

CRIMINAL ACTION NO. 4:18-CR-302

Pending before the Court is a motion filed by the Defendants for continuance of the trial setting. In accordance with 18 U.S.C. § 3161(h)(7)(A), the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendant in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. § 3161(h)(7)(B), a failure to grant continuance in this case would deny counsel for the Defendants the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendant.

The Defendants recite that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in

18 U.S.C. § 3161(h)(7)(B)(iv) as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

**IT IS HEREBY ORDERED** that the Defendant's motion for continuance is **GRANTED**. A period of excludable delay shall commence from today, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), and end upon the start of trial. **Trial of this case is hereby scheduled to commence on January 14, 2019 at 1:30 p.m.**

**THE SCHEDULING ORDER SHALL BE AMENDED AS FOLLOWS:**

MOTIONS will be filed by November 26, 2018.

RESPONSES due by December 6, 2018.

PROPOSED VOIR DIRE AND CHARGE due by January 4, 2019.

PRETRIAL CONFERENCE is set for January 7, 2019 at 9:30 a.m.

SIGNED at Houston, Texas, this 13<sup>th</sup> day of July, 2018.



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VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE